



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

At its meeting held July 3, 2007, the Board took the following action:

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The following item was called up for consideration:

The Registrar-Recorder/County Clerk's recommendation to approve and instruct the Registrar-Recorder/County Clerk to sign amendment to agreement with Global 360, BGS, Inc., for software licensing and system maintenance and support services for the Registrar-Recorder/County Clerk (RR/CC) Document Imaging System, to extend the term of the agreement to June 30, 2008 with two one-year optional extensions and one six-month optional extension, increasing the contract sum by \$463,924 from \$1,480,000 to \$1,943,924; authorize the RR/CC to increase the contract sum by an additional 7.1% for future changes in the work required under the agreement; incorporate certain revised contract provisions; incorporate into the agreement an updated Statement of Work, and incorporate into the agreement an updated Pricing Schedule; and to exercise the options to extend the agreement.

Conny B. McCormack, Registrar-Recorder/County Clerk, responded to questions posed by the Board.

After discussion, Supervisor Molina made the following statement:

"The Los Angeles County Registrar-Recorder/County Clerk is responsible for the management of vast amounts of data and documents, and operates the largest voting jurisdiction in the United States--3,899,397 registered voters in 2006--who vote at more than 5,000 polling places.

"These vast responsibilities are complicated by the challenge of performing these tasks in an environment of rapidly developing technological advances and changing legislative directives. The Federal Help America Vote Act outlines important milestones and strict deadlines for installing electronic voting equipment, and supplies the funds to purchase the updated technologies.

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“These factors contribute to practices in the Registrar-Recorder/ County Clerk’s office that too often run counter to the County’s competitive procurement policies. These policies exist to ensure that the contractor who submits the proposal that meets the overall best interests of the County is selected. It is the County’s belief that market forces will bring forth the best proposal or product currently available, at the best price available. The RFP process also provides smaller businesses and women-owned and minority-owned businesses with an avenue to participate using the same criteria for success as larger, established firms.

“The Registrar-Recorder and staff recently demonstrated instances where they sacrificed the benefits of competitive procurement. The contract before us today first came to the Board’s attention as a Notification of Intent to Negotiate a Sole Source Contract with Global 360, BGS. After questions were raised regarding sole source contracts, the Global 360, BGS contract reappeared on the agenda as a contract extension.

“On May 31, the Registrar-Recorder provided a Notification of Intent to Negotiate a Sole Source Contract with Bowe, Bell and Howell for absentee voter ballot equipment and services. The Registrar-Recorder conducted market research of available equipment to meet the Absentee Vote by precinct requirements of Assembly Bill 2770, and without pursuing any other competitive process, concluded that only the Bowe, Bell and Howell product met their requirements. Another sole source request for computer software to improve the operation of the Call Center support system will appear on the Board agenda in the near future. The program, AskED Help Desk, may significantly improve customer service and streamline election day troubleshooting. But are these the best products on the market? Are they the most cost effective? Are they the most consumer friendly? We will never know the answers to these questions because, again, the Department has pre-shopped for these products, made its comparisons, and selected this vendor absent standard competitive procurement requirements.”

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Therefore, on motion of Supervisor Molina, seconded by Supervisor Knabe, unanimously carried (Supervisor Burke being absent), the Board took the following actions:

1. Approved the Registrar-Recorder/County Clerk's attached recommendation; and
2. Instructed the Chief Executive Officer to conduct a comprehensive review of procurement processes at the Registrar-Recorder/County Clerk to:
 - Determine if these contracts are consistent with County policy as outlined in Internal Services Department written policies and the Board of Supervisors' written policy, with particular attention to how sole source contracts are handled; and
 - Establish protocols and timelines for the procurement process for the Registrar-Recorder/County Clerk that ensures solicitations are released with sufficient time to conduct a Request for Proposals, select the option that serves the best interest of the County, and install purchased equipment with sufficient time for testing and verification prior to scheduled elections; and
 - Report back to the Board by July 26, 2007 for discussion at its meeting on July 31, 2007.

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Attachment

Copies distributed:

Each Supervisor
Chief Executive Officer
County Counsel
Registrar-Recorder/County Clerk
Director of Internal Services